



# PUBLIC NOTICE

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## 180-DAY CLOCK STOPPED ON CONSIDERATION OF APPLICATIONS FOR CONSENT TO TRANSFER OF CONTROL FILED BY SBC COMMUNICATIONS INC. AND AT&T CORP.

### WC DOCKET NO. 05-65

SBC Communications Inc. ("SBC") and AT&T Corp. ("AT&T," together with SBC, "Applicants") have filed a series of applications ("Applications") pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended<sup>1</sup> and section 2 of the Cable Landing License Act,<sup>2</sup> seeking Commission approval of the transfer of control to SBC of licenses and authorizations held directly and indirectly by AT&T.<sup>3</sup>

The Applicants, petitioners, and commenters have filed a number of pleadings, documents, and analyses, creating a voluminous record. On September 6, 2005, the Applicants filed an *ex parte* letter in WC Docket No. 05-65 containing yet additional relevant information.<sup>4</sup> Although today is day 180 of the Commission's informal time clock for consideration of this transaction, the Applicants have now requested that the agency "stop the clock" and extend the time for its consideration.<sup>5</sup> In the interest of ensuring sound analysis of the record, we are today stopping the clock on consideration of the Applications. The clock will be stopped until October 13, 2005.

We take this opportunity to remind the public that the 180-day clock represents a good faith undertaking by the Commission to complete action on assignment and transfer of control applications

<sup>1</sup> 47 U.S.C. §§ 214, 310(d).

<sup>2</sup> See generally An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 ("Cable Landing License Act").

<sup>3</sup> See Public Notice, *Commission Seeks Comment on Application For Consent to Transfer of Control Filed By SBC Communications Inc. and AT&T Corp.*, WC Docket No. 05-65, DA 05-656 (rel. Mar. 11, 2005).

<sup>4</sup> Letter from Christopher S. Heimann, SBC Communications Inc., and Lawrence J. Lafaro, AT&T Corp. to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 05-65 (filed Sept. 6, 2005) (SBC/AT&T Sept. 6 *Ex Parte* Letter).

<sup>5</sup> See *id.* at 7. We also note that several commenters in this proceeding have also requested that the Commission stop the clock. See, e.g., Letter from Gary Lytle, Senior Vice President – Federal Relations, Qwest, to Kevin J. Martin, Chairman, Federal Communications Commission, WC Docket Nos. 05-65, 05-75 (filed May 25, 2005); Letter from Brad E. Mutschelknaus, Counsel for Cbeyond Communications *et al.*, and Christopher J. Wright, Counsel for SAVVIS Communications, Inc., to Kevin Martin, Chairman, Federal Communications Commission, WC Docket Nos. 05-65, 05-75 (filed May 25, 2005).

*within a certain timeframe and a means to keep interested parties informed of the progress of those applications. The clock carries with it no procedural or substantive rights or obligations but merely represents an informal benchmark by which to evaluate the Commission's progress. Although the Commission seeks to meet the 180-day benchmark, we note that the Commission retains the discretion to determine whether, in any particular review proceeding, events beyond the agency's control, the need to obtain additional information or the interests of sound analysis constitute sufficient grounds to stop the clock.*

For further information, contact Marcus Maher, Competition Policy Division, Wireline Competition Bureau, at (202) 418-2339; Bill Dever, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1578; or Jim Bird, Office of General Counsel, at (202) 418-7802.

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